

**Regular Meeting
Board of Zoning Appeals
May 6, 2009**

Chairman Jerry Uebelhor called the Regular Meeting of the Board of Zoning Appeals to order at 6:30 p.m. Bob Cook took roll call as follows:

Chairman Jerry Uebelhor	-Present	Randy Mehringer	-Present
Vice Chairman Bob Wright	-Present	Bob Cook	-Present
Secretary Brad Schnarr	-Absent	Bldg. Comm. Dave Seger	-Present
Daniel Beckman	-Present	Atty. Sandy Hemmerlein	-Present

PLEDGE OF ALLEGIANCE

Chairman Uebelhor led the Pledge of Allegiance.

APPROVAL OF THE MINUTES

Minutes of the April 1, 2009 Regular Meeting were reviewed. Randy Mehringer made a motion to approve the minutes as mailed. Bob Cook seconded it. Motion carried 5-0.

STATEMENT

Chairman Uebelhor read the following statement. "We are now ready to begin the public hearings scheduled for this evening. With respect to tonight's meeting and public hearings, we are hereby incorporating by reference into the record of tonight's meeting and public hearings, City of Jasper Ordinance Number 1993-17, entitled "Zoning Ordinance of the City of Jasper, Indiana and its jurisdictional area" and any and all amendments thereto. Audio and videotapes of these proceedings are also incorporated by reference into this evening's record."

NEW BUSINESS

Petition of Jasper Assisted Living, LLC, and CarDon & Associates, Inc., for a special exception to add a building addition to an existing nursing home (Brookside Village).

Phil Buehler, of Brosmer Land Surveying, was present on behalf of Jasper Assisted Living and CarDon & Associates, requesting a special exception to allow two additions to the existing Brookside Village, located at 1111 Church Avenue.

An aerial photo was displayed of the existing facility. Plans are to add two additions. A 4,200 sq. ft. addition in the northeast corner would be used for eight private rooms. The second addition is planned for an 800 sq. ft. physical therapy gym.

There were no remonstrators present. After some discussion, Bob Cook made a motion to close the public hearing. Daniel Beckman seconded it. Motion carried 5-0.

Bob Cook made a motion to grant a special exception to allow two building additions onto Brookside Village located at 1111 Church Avenue. Daniel Beckman seconded it. Motion carried 5-0.

Petition of Patrick M. Nordhoff for a variance to build two duplexes in an R-R (Rural Residential) zone.

Phil Buehler was present on behalf of Pat Nordhoff, who was also present, to request a variance to build two duplexes in a Rural Residential zone. The proposed property is located north of Highway 56 West, east of Ireland.

In 2002, the property was incorporated into the City's two-mile jurisdiction. A drawing was displayed showing several existing two-family dwellings in comparison to single-family and businesses in the surrounding area, all constructed prior to the most recent update of the Zoning/Subdivision Control Ordinance.

Mr. Nordhoff requested permission from INDOT to build one entrance off of the highway, which would be centered on the proposed boundary line. The duplexes would face the highway.

After Mr. Buehler displayed an aerial of the property, which showed only one full lot and two partial lots, much discussion followed. Building Commissioner Dave Seger explained that the minimum width for a lot is 115 feet. Seeing that there was only one complete lot, Mr. Seger said at this time, only one building permit would be allowed.

Mr. Nordhoff said Surveyor Ken Brosmer appeared before the Plan Commission a few years ago regarding the proposed property. After some research, it was found that Mr. Brosmer did appear before the Board at the April 7, 2004 meeting to ask the Board's advice. As noted in the minutes, Mr. Nordhoff's intent was to create two lots from a lot and a partial lot instead of having to plat the property. The minutes also stated that City Engineer Hurm and Building Commissioner Seger advised Mr. Brosmer to furnish more information for them to review before returning to the Board with Mr. Nordhoff's request.

Mr. Nordhoff was advised to either change his request to one duplex instead of two or table the public hearing and decide by next month's meeting what he intends to do with the property. Mr. Nordhoff agreed to table the public hearing.

With no more discussion, Vice Chairman Wright made a motion to table the public hearing until next month's meeting. Daniel Beckman seconded it. Motion carried 5-0.

Petition of Danny and Donna Boutwell for a variance from Section 16.02.140 (Height Regulations).

Donna Boutwell was present, also on behalf of her husband, Danny, to request a variance to build a garage on their property located at 796 Rustic Lane. The proposed building would measure 24 ft. x 36 ft., with a height of approximately 20 feet. The Boutwells intend to use the garage to store a camper, boat and personal storage.

There were no remonstrators present. With no more discussion, Bob Cook made a motion to close the public hearing. Vice Chairman Wright seconded it. Motion carried 5-0.

Vice Chairman Wright made a motion to grant a variance from Section 16.02.140 (Height Regulations), not to exceed 20 feet. Randy Mehringer seconded it. Motion carried 5-0.

With no further discussion, Bob Cook made a motion to adjourn the meeting. It was seconded by Daniel Beckman. The motion carried 5-0, and the meeting was adjourned at 7:28 p.m.

Jerry Uebelhor, Chairman

Brad Schnarr, Secretary

Kathy M. Pfister, Recording Secretary